IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15492 of 2007(T)

PETITIONER:

B.ANIL KUMAR,
KALLELI KARTHIKA,
POONTHOPPU, ALAPPUZHA.

BY ADV. SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN

RESPONDENTS:
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1. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES(GENERAL),
AMBALAPUZHA.

2. SALE OFFICER AND INSPECTOR FOR
ARBITRATION AND EXECUTION,
OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES(GENERAL),
AMBALAPUZHA.

3. THE ALAPPUZHA URBAN CO-OPERATIVE
BANK LIMITED NO.A-67,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
ALAPPUZHA.

BY ADV. SMT.I.SHEELA DEVI, SC FOR R3
GOVT. PLEADER SRI.P.N.SANTHOSH FOR R1 & R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.15492 OF 2007

Dated this the 25th day of May, 2007

JUDGMENT

Petitioner challenges Ext.P1 which is a demand notice to enforce the loan availed by the petitioner which he could not repay.

2. I heard learned counsel for the petitioner, learned counsel for the respondents and the learned Government Pleader also.

3. In the nature of the order that I propose to pass, it is not necessary to issue notice to the second respondent. Petitioner prays that he may be permitted to pay off the amount in installments.

In the circumstances, the request of the petitioner appears to be in the facts of the case reasonable. The writ petition is disposed of as follows:

Petitioner is permitted to pay off the entire amount due as per Ext.P1 in six equal monthly installments, the first of which shall be payable on or before 15/06/2007. If the petitioner does not pay the amount in accordance with the said schedule, it is open to the bank to proceed against the petitioner in accordance with law. If the petitioner continues to pay the installments, proceedings will not be enforced against him.

K.M.JOSEPH
JUDGE

sv.